

2. (Original) The umbrella as described in Claim 1, wherein said illumination means is housed within said handle section.

ant. C1
3. (Original) The umbrella as described in Claim 1, wherein said illumination means comprises an incandescent lamp located on the interior of said handle to provide bright illumination to make the umbrella user more visible to approaching motorists.

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4. (Original) The umbrella as described in Claim 1, further comprising a translucent, neon-colored tube circumscribing the shaft of the umbrella.

5. (Original) The umbrella of claim 3, wherein said handle section holds and contains a battery assembly at an upper end of the handle assembly.

6. (Original) The umbrella of claim 5, wherein said handle section further comprises:
a cavity inside the handle section;
a series of threads formed along a lower rim of the handle; and
a screw cap with matching, receiving threads to mate with said threads formed along the lower rim of the handle such as to removably contain the batteries.

7.(Once Amended) An umbrella comprising:

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[an umbrella, said umbrella having] a retractable head; a shaft, said shaft and said retractable head operate together to alternately extend, lock, and retract said retractable head;
[and] a shaft lower end;
a handle section, said handle section affixed to said shaft lower end;
an illumination means housed within said handle section; and
a neon-colored tube circumscribing [the] said shaft of the umbrella.

REMARKS

Reconsideration of the application as amended is respectfully requested.

The examiner respectfully rejected Claims 1-3 and 5-6 under 35 U.S.C. § 102(b) as being anticipated by Campbell ('471).

In undertaking to determine whether one reference anticipates another under 35 U.S.C. 102(b), a primary tenet is that the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Differences exist between the invention claimed in Campbell and the currently claimed invention. Campbell teaches an umbrella having a ray emitting device which is visible in the darkness.